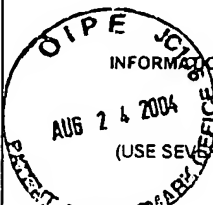


|   |                                  |                               |
|---|----------------------------------|-------------------------------|
| FORM PTO-1449<br>U.S. DEPARTMENT OF COMMERCE<br>PATENT AND TRADEMARK OFFICE<br><br>INFORMATION DISCLOSURE STATEMENT<br>BY APPLICANT<br>(USE SEVERAL SHEETS IF NECESSARY) | ATTY. DOCKET NO.<br>MITRAL.001C3 | APPLICATION NO.<br>10/806,908 |
|   | APPLICANT<br>Langberg et al.     |                               |
|   | FILING DATE<br>March 23, 2004    | GROUP<br>Unknown              |

| U.S. PATENT DOCUMENTS |    |                 |         |                      |       |          |                                 |
|-----------------------|----|-----------------|---------|----------------------|-------|----------|---------------------------------|
| EXAMINER<br>INITIAL   |    | DOCUMENT NUMBER | DATE    | NAME                 | CLASS | SUBCLASS | FILING DATE<br>(IF APPROPRIATE) |
| AS                    | 1  | 4,128,100       | 12/1978 | Wendorff             |       |          |                                 |
|                       | 2  | 4,917,698       | 04/1990 | Carpentier et al.    |       |          |                                 |
|                       | 3  | 5,006,106       | 04/1991 | Angelchik            |       |          |                                 |
|                       | 4  | 5,041,130       | 08/1991 | Cosgrove et al.      |       |          |                                 |
|                       | 5  | 5,061,277       | 10/1991 | Carpentier et al.    |       |          |                                 |
|                       | 6  | 5,064,431       | 11/1991 | Gilbertson et al.    |       |          |                                 |
|                       | 7  | 5,099,838       | 03/1992 | Bardy                |       |          |                                 |
|                       | 8  | 5,104,407       | 04/1992 | Lam et al.           |       |          |                                 |
|                       | 9  | 5,163,955       | 11/1992 | Love et al.          |       |          |                                 |
|                       | 10 | 5,165,403       | 11/1992 | Mehra                |       |          |                                 |
|                       | 11 | 5,201,880       | 04/1993 | Wright et al.        |       |          |                                 |
|                       | 12 | 5,290,300       | 03/1994 | Cosgrove et al.      |       |          |                                 |
|                       | 13 | 5,304,131       | 04/1994 | Paskar               |       |          |                                 |
|                       | 14 | 5,350,420       | 09/1994 | Cosgrove et al.      |       |          |                                 |
|                       | 15 | 5,390,661       | 02/1995 | Griffith et al.      |       |          |                                 |
|                       | 16 | 5,450,860       | 09/1995 | O'Connor             |       |          |                                 |
|                       | 17 | 5,476,471       | 12/1995 | Shifrin et al.       |       |          |                                 |
|                       | 18 | 5,545,209       | 08/1996 | Roberts et al.       |       |          |                                 |
|                       | 19 | 5,562,619       | 10/1996 | Mirarchi et al.      |       |          |                                 |
|                       | 20 | 5,593,424       | 01/1997 | Northrup III         |       |          |                                 |
|                       | 21 | 5,702,343       | 12/1997 | Alferness            |       |          |                                 |
|                       | 22 | 5,716,397       | 02/1998 | Myers                |       |          |                                 |
|                       | 23 | 5,824,066       | 10/1998 | Gross                |       |          |                                 |
|                       | 24 | 5,891,108       | 04/1999 | Leone et al.         |       |          |                                 |
|                       | 25 | 5,919,233       | 07/1999 | Knopf et al.         |       |          |                                 |
| V                     | 26 | 5,935,081       | 08/1999 | Kadhiresan           |       |          |                                 |
| AS                    | 27 | 5,961,440       | 10/1999 | Schweich, Jr. et al. |       |          |                                 |

|  |                   |                 |            |
|--|-------------------|-----------------|------------|
| EXAMINER   | /Ann Schillinger/ | DATE CONSIDERED | 11/08/2006 |
| *EXAMINER: INITIAL IF CITATION CONSIDERED, WHETHER OR NOT CITATION IS IN CONFORMANCE WITH MPEP 609; DRAW LINE THROUGH CITATION IF NOT IN CONFORMANCE AND NOT CONSIDERED, INCLUDE COPY OF THIS FORM WITH NEXT COMMUNICATION TO APPLICANT. |                   |                 |            |

|   |                                  |                               |
|---|----------------------------------|-------------------------------|
| FORM PTO-1449 U.S. DEPARTMENT OF COMMERCE<br>PATENT AND TRADEMARK OFFICE                  | ATTY. DOCKET NO.<br>MITRAL.001C3 | APPLICATION NO.<br>10/806,906 |
| INFORMATION DISCLOSURE STATEMENT<br>BY APPLICANT<br><br>(USE SEVERAL SHEETS IF NECESSARY) | APPLICANT<br>Langberg et al.     |                               |
|   | FILING DATE<br>March 23, 2004    | GROUP<br>Unknown              |

| U.S. PATENT DOCUMENTS |    |                 |         |                      |       |          |                                 |
|-----------------------|----|-----------------|---------|----------------------|-------|----------|---------------------------------|
| EXAMINER<br>INITIAL   |    | DOCUMENT NUMBER | DATE    | NAME                 | CLASS | SUBCLASS | FILING DATE<br>(IF APPROPRIATE) |
| AS                    | 28 | 5,961,545       | 10/1999 | Lentz et al.         |       |          |                                 |
|                       | 29 | 5,961,565       | 10/1999 | Kawabe et al.        |       |          |                                 |
|                       | 30 | 6,001,127       | 12/1999 | Schoon et al.        |       |          |                                 |
|                       | 31 | 6,019,739       | 02/2000 | Rhee et al.          |       |          |                                 |
|                       | 32 | 6,045,497       | 04/2000 | Schweich, Jr. et al. |       |          |                                 |
|                       | 33 | 6,050,936       | 04/2000 | Schweich, Jr. et al. |       |          |                                 |
|                       | 34 | 6,051,020       | 04/2000 | Goicoechea et al.    |       |          |                                 |
|                       | 35 | 6,059,715       | 05/2000 | Schweich, Jr. et al. |       |          |                                 |
|                       | 36 | 6,077,214       | 06/2000 | Mortier et al.       |       |          |                                 |
|                       | 37 | 6,077,296       | 06/2000 | Shokoohi et al.      |       |          |                                 |
|                       | 38 | 6,095,968       | 08/2000 | Snyders              |       |          |                                 |
|                       | 39 | 6,110,100       | 08/2000 | Talpade              |       |          |                                 |
|                       | 40 | 6,123,662       | 09/2000 | Alferness et al.     |       |          |                                 |
|                       | 41 | 6,143,024       | 11/2000 | Campbell et al.      |       |          |                                 |
|                       | 42 | 6,146,325       | 11/2000 | Lewis et al.         |       |          |                                 |
|                       | 43 | 6,155,968       | 12/2000 | Wilk                 |       |          |                                 |
|                       | 44 | 6,155,972       | 12/2000 | Nauertz et al.       |       |          |                                 |
|                       | 45 | 6,161,543       | 12/2000 | Cox et al.           |       |          |                                 |
|                       | 46 | 6,162,168       | 12/2000 | Schweich, Jr. et al. |       |          |                                 |
|                       | 47 | 6,165,119       | 12/2000 | Schweich, Jr. et al. |       |          |                                 |
|                       | 48 | 6,165,120       | 12/2000 | Schweich, Jr. et al. |       |          |                                 |
|                       | 49 | 6,165,122       | 12/2000 | Alferness            |       |          |                                 |
|                       | 50 | 6,171,329 B1    | 01/2001 | Shaw et al.          |       |          |                                 |
|                       | 51 | 6,174,279 B1    | 01/2001 | Girard               |       |          |                                 |
|                       | 52 | 6,183,411 B1    | 02/2001 | Mortier et al.       |       |          |                                 |
|                       | 53 | 6,183,512 B1    | 02/2001 | Howanec, Jr. et al.  |       |          |                                 |
| AS                    | 54 | 6,193,648 B1    | 02/2001 | Krueger              |       |          |                                 |

|  |                            |
|--|----------------------------|
| EXAMINER /Ann Schillinger/   | DATE CONSIDERED 11/08/2006 |
| *EXAMINER: INITIAL IF CITATION CONSIDERED. WHETHER OR NOT CITATION IS IN CONFORMANCE WITH MPEP 609; DRAW LINE THROUGH CITATION IF NOT IN CONFORMANCE AND NOT CONSIDERED. INCLUDE COPY OF THIS FORM WITH NEXT COMMUNICATION TO APPLICANT. |                            |

|   |  |                                  |                               |
|---|--|----------------------------------|-------------------------------|
| FORM PTO-1449   | U.S. DEPARTMENT OF COMMERCE<br>PATENT AND TRADEMARK OFFICE | ATTY. DOCKET NO.<br>MITRAL.001C3 | APPLICATION NO.<br>10/808,908 |
| <b>INFORMATION DISCLOSURE STATEMENT<br/>BY APPLICANT</b><br><br>(USE SEVERAL SHEETS IF NECESSARY) |  | APPLICANT<br>Langberg et al.     |                               |
|   |  | FILING DATE<br>March 23, 2004    | GROUP<br>Unknown              |

| U.S. PATENT DOCUMENTS |    |                 |         |                      |       |          |                                 |
|-----------------------|----|-----------------|---------|----------------------|-------|----------|---------------------------------|
| EXAMINER<br>INITIAL   |    | DOCUMENT NUMBER | DATE    | NAME                 | CLASS | SUBCLASS | FILING DATE<br>(IF APPROPRIATE) |
| AS                    | 55 | 6,210,432 B1    | 04/2001 | Solem et al.         |       |          |                                 |
|                       | 56 | 6,217,610 B1    | 04/2001 | Carpentier et al.    |       |          |                                 |
|                       | 57 | 6,221,103 B1    | 04/2001 | Melvin               |       |          |                                 |
|                       | 58 | 6,230,714 B1    | 05/2001 | Alferness et al.     |       |          |                                 |
|                       | 59 | 6,241,654 B1    | 06/2001 | Alferness            |       |          |                                 |
|                       | 60 | 6,250,308 B1    | 06/2001 | Cox                  |       |          |                                 |
|                       | 61 | 6,260,552 B1    | 07/2001 | Mortier et al.       |       |          |                                 |
|                       | 62 | 6,261,222 B1    | 07/2001 | Schweich, Jr. et al. |       |          |                                 |
|                       | 63 | 6,264,602 B1    | 07/2001 | Mortier et al.       |       |          |                                 |
|                       | 64 | 6,368,343       | 04/2002 | Bonulti et al.       |       |          |                                 |
|                       | 65 | 6,402,781 B1    | 06/2002 | Langberg et al.      |       |          |                                 |
|                       | 66 | 6,569,198       | 05/2003 | Wilson et al.        |       |          |                                 |
|                       | 67 | 6,602,288       | 08/2003 | Cosgrove et al.      |       |          |                                 |
|                       | 68 | 2002/0087173    | 07/2002 | Alferness et al.     |       |          |                                 |
|                       | 69 | 2002/0183835 A1 | 12/2002 | Taylor et al.        |       |          |                                 |
|                       | 70 | 2002/0183836 A1 | 12/2002 | Liddicoat et al.     |       |          |                                 |
|                       | 71 | 2002/0183837 A1 | 12/2002 | Streeter et al.      |       |          |                                 |
|                       | 72 | 2002/0183838 A1 | 12/2002 | Liddicoat et al.     |       |          |                                 |
|                       | 73 | 2002/0183841 A1 | 12/2002 | Cohn et al.          |       |          |                                 |
|                       | 74 | 2003/0088305    | 05/2003 | Van Schie et al.     |       |          |                                 |
|                       | 75 | 60/213,782      | 06/2000 | Cohn et al.          |       |          |                                 |
|                       | 76 | 60/242,466      | 10/2000 | Streeter             |       |          |                                 |
|                       | 77 | 60/266,766      | 02/2001 | Cohn et al.          |       |          |                                 |
|                       | 78 | 60/273,893      | 03/2001 | Cohn et al.          |       |          |                                 |
|                       | 79 | 60/278,153      | 03/2001 | Cohn et al.          |       |          |                                 |
| ✓                     | 80 | 60/279,973      | 03/2001 | Taylor et al.        |       |          |                                 |
| AS                    | 81 | 60/279,974      | 03/2001 | Taylor et al.        |       |          |                                 |

|  |                   |                 |            |
|--|-------------------|-----------------|------------|
| EXAMINER   | /Ann Schillinger/ | DATE CONSIDERED | 11/08/2006 |
| *EXAMINER: INITIAL IF CITATION CONSIDERED. WHETHER OR NOT CITATION IS IN CONFORMANCE WITH MPEP 609; DRAW LINE THROUGH CITATION IF NOT IN CONFORMANCE AND NOT CONSIDERED. INCLUDE COPY OF THIS FORM WITH NEXT COMMUNICATION TO APPLICANT. |                   |                 |            |

|  |                                  |                               |
|--|----------------------------------|-------------------------------|
| FORM PTO-1449 U.S. DEPARTMENT OF COMMERCE<br>PATENT AND TRADEMARK OFFICE<br><br><b>INFORMATION DISCLOSURE STATEMENT<br/>         BY APPLICANT</b><br><br>(USE SEVERAL SHEETS IF NECESSARY) | ATTY. DOCKET NO.<br>MITRAL.001C3 | APPLICATION NO.<br>10/806,906 |
|  | APPLICANT<br>Langberg et al.     |                               |
|  | FILING DATE<br>March 23, 2004    | GROUP<br>Unknown              |

| U.S. PATENT DOCUMENTS |    |                 |         |               |       |          |                                 |
|-----------------------|----|-----------------|---------|---------------|-------|----------|---------------------------------|
| EXAMINER<br>INITIAL   |    | DOCUMENT NUMBER | DATE    | NAME          | CLASS | SUBCLASS | FILING DATE<br>(IF APPROPRIATE) |
| AS                    | 82 | 60/280,038      | 03/2001 | Cohn et al.   |       |          |                                 |
| AS                    | 83 | 60/283,820      | 04/2001 | Cohn et al.   |       |          |                                 |
| AS                    | 84 | 60/312,217      | 08/2001 | Taylor et al. |       |          |                                 |
| AS                    | 85 | 60/339,481      | 10/2001 | Cohn et al.   |       |          |                                 |
| AS                    | 86 | 60/348/424      | 01/2002 | Taylor et al. |       |          |                                 |

| FOREIGN PATENT DOCUMENTS |     |                  |         |         |       |          |             |    |
|--------------------------|-----|------------------|---------|---------|-------|----------|-------------|----|
| EXAMINER<br>INITIAL      |     | DOCUMENT NUMBER  | DATE    | COUNTRY | CLASS | SUBCLASS | TRANSLATION |    |
|                          |     |                  |         |         |       |          | YES         | NO |
| AS                       | 87  | WO 91/19465      | 12/1991 | PCT     |       |          |             |    |
|                          | 88  | WO 96/34211      | 10/1996 | PCT     |       |          |             |    |
|                          | 89  | WO 98/29041      | 07/1998 | PCT     |       |          |             |    |
|                          | 90  | WO 99/30647      | 06/1999 | PCT     |       |          |             |    |
|                          | 91  | WO 99/44534      | 09/1999 | PCT     |       |          |             |    |
|                          | 92  | WO 00/06026      | 02/2000 | PCT     |       |          |             |    |
|                          | 93  | WO 00/06027      | 02/2000 | PCT     |       |          |             |    |
|                          | 94  | WO 00/06028      | 02/2000 | PCT     |       |          |             |    |
|                          | 95  | WO 00/16700      | 03/2000 | PCT     |       |          |             |    |
|                          | 96  | WO 00/18320      | 04/2000 | PCT     |       |          |             |    |
|                          | 97  | WO 01/00111 A1   | 01/2001 | PCT     |       |          |             |    |
|                          | 98  | WO 01/00114 A1   | 01/2001 | PCT     |       |          |             |    |
|                          | 99  | WO 01/28455 A1   | 04/2001 | PCT     |       |          |             |    |
|                          | 100 | EP 0 727 239 A2  | 08/1996 | Europe  |       |          |             |    |
|                          | 101 | EP 0 727 239 A3  | 04/1997 | Europe  |       |          |             |    |
| AS                       | 102 | DE 196 05 042 A1 | 01/1998 | Germany |       |          |             |    |

|  |                   |                 |            |
|--|-------------------|-----------------|------------|
| EXAMINER   | /Ann Schillinger/ | DATE CONSIDERED | 11/08/2006 |
| *EXAMINER: INITIAL IF CITATION CONSIDERED, WHETHER OR NOT CITATION IS IN CONFORMANCE WITH MPEP 609; DRAW LINE THROUGH CITATION IF NOT IN CONFORMANCE AND NOT CONSIDERED, INCLUDE COPY OF THIS FORM WITH NEXT COMMUNICATION TO APPLICANT. |                   |                 |            |

|   |  |                                  |                               |
|---|--|----------------------------------|-------------------------------|
| FORM PTO-1449   | U.S. DEPARTMENT OF COMMERCE<br>PATENT AND TRADEMARK OFFICE | ATTY. DOCKET NO.<br>MITRAL.001C3 | APPLICATION NO.<br>10/806,908 |
| <b>INFORMATION DISCLOSURE STATEMENT<br/>BY APPLICANT</b><br><br>(USE SEVERAL SHEETS IF NECESSARY) |  | APPLICANT<br>Langberg et al.     |                               |
|   |  | FILING DATE<br>March 23, 2004    | GROUP<br>Unknown              |

| EXAMINER<br>INITIAL | OTHER DOCUMENTS (INCLUDING AUTHOR, TITLE, DATE, PERTINENT PAGES, ETC.) |   |
|---------------------|--|---|
| AS                  | 103  | Boyd et al., <i>Tricuspid annuloplasty</i> , September 1974, <u>The Journal of Thoracic and Cardiovascular Surgery</u> , pg. 344, 351   |
|                     | 104  | Kurlansky et al., <i>Adjustable Annuloplasty for Tricuspid Insufficiency</i> , October 1987, <u>The Annals of Thoracic Surgery</u> , pg. 404-406  |
|                     | 105  | Alonso-Lej, <i>Adjustable Annuloplasty for Tricuspid Insufficiency</i> , September 1988, <u>The Annals of Thoracic Surgery</u> , Letter to the Editor, pg. 368-369  |
|                     | 106  | Chachques et al., <i>Latissimus Dorsi Dynamic Cardiomyoplasty</i> , 1989, <u>The Society of Thoracic Surgeons</u> , pg. 600-604   |
|                     | 107  | McCarthy et al., <i>Clinical experience with the Novacor ventricular assist system</i> , May 1990, <u>J Thorac Cardiovasc Surg.</u> , pg. 578-587   |
|                     | 108  | Farrar et al., <i>A New Skeletal Muscle Linear-pull Energy Convertor as a Power Source for Prosthetic Circulatory Support Devices</i> , September 1992, <u>The Journal of Heart and Lung Transplantation</u> , pg. S341-S349  |
|                     | 109  | Bolling et al., <i>Early outcome of mitral valve reconstruction in patients with end-stage cardiomyopathy</i> , April 1995, <u>The Journal of Thoracic and Cardiovascular Surgery</u> , pg. 676-683   |
|                     | 110  | Bach et al., <i>Early improvement in congestive heart failure after correction of secondary mitral regurgitation in end-stage cardiomyopathy</i> , June 1995, <u>American Heart Journal</u> , pg. 1165-1170   |
|                     | 111  | Bearnson et al., <i>Development of a Prototype Magnetically Suspended Rotar Ventricular Assist Device</i> , <u>ASAIO Journal</u> 1996, pg. 275-280  |
|                     | 112  | <i>Thoratec Ventricular Assist Device System</i> , 1996 Brochure  |
|                     | 113  | McCarthy et al., <i>Early Results with Partial Left VEntriculectomy</i> , May 1997, Presented at the 77 <sup>th</sup> Annual Meeting of the American Association of thoracic Surgeons   |
|                     | 114  | Buchanan et al., <i>Circumferential Suture of the Mitral Annulus for Correction of Mitral Regurgitation in Dogs</i> , 1998, <u>Veterinary Surgery Vol. 27</u> , pg. 182-193   |
|                     | 115  | Yamani et al., <i>Surgical Treatment of Chronic Heart Failure</i> , 2000, <u>Congestive Heart Failure Second Edition</u> , pg 767-784   |
| AS                  | 116  | Bristow et al., <i>Heart Failure Management Using Implantable Devices for Ventricular Resynchronization: Comparison of Medical Therapy, Pacing, and Defibrillation in Chronic Heart Failure (COMPANION) Trial</i> , September 2000, <u>Journal of Cardiac Failure</u> , Vol. 6, No. 3, pg 276-285 |
| AS                  | 117  | Smolens et al., <i>Mitral Valve Repair in Heart Failure</i> , 2000, <u>European Journal of Heart Failure</u> 2, pg. 365-371   |

H:\DOCS\AIK\AIK-1783.DOC  
051304

|  |                   |                 |            |
|--|-------------------|-----------------|------------|
| EXAMINER   | /Ann Schillinger/ | DATE CONSIDERED | 11/08/2006 |
| *EXAMINER: INITIAL IF CITATION CONSIDERED. WHETHER OR NOT CITATION IS IN CONFORMANCE WITH MPEP 609; DRAW LINE THROUGH CITATION IF NOT IN CONFORMANCE AND NOT CONSIDERED. INCLUDE COPY OF THIS FORM WITH NEXT COMMUNICATION TO APPLICANT. |                   |                 |            |

FORM PTO/SB/08A/B (10-01)  
Substitute for PTO-1449A/B

# INFORMATION DISCLOSURE

## STATEMENT BY APPLICANT

Attorney Docket Number

PVI-5813CIPCON1/53763/  
MEG/E303

Application Number

10/806,906

Filing Date

March 23, 2004

Applicant(s)

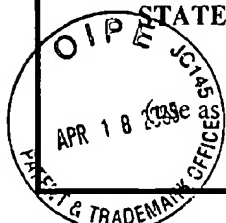
Jonathan J. Langberg, et al.

Group Art Unit

3738

Examiner Name

To be assigned



(Use as many sheets as necessary)

## U.S. PATENT DOCUMENTS

| EXAMINER<br>INITIALS | Cite<br>No. <sup>1</sup> | DOCUMENT NUMBER<br>Number - Kind Code <sup>2</sup> (If Known) | PUBLICATION DATE<br>MM-DD-YYYY | NAME OF PATENTEE   |
|----------------------|--------------------------|---|--------------------------------|--------------------|
| AS                   |                          | US 2001/0044568 A1  | 11-22-2001                     | Langberg, et al.   |
|                      |                          | US 2002/0016628 A1  | 02-07-2002                     | Langberg et al.    |
|                      |                          | US 2002/0019660 A1  | 02-14-2002                     | Gianotti et al.    |
|                      |                          | US 2002/0022880 A1  | 02-21-2002                     | Melvin             |
|                      |                          | US 2002/0042621 A1  | 04-11-2002                     | Liddicoat et al.   |
|                      |                          | US 2002/0103532 A1  | 08-01-2002                     | Langberg et al.    |
|                      |                          | US 2002/0103533 A1  | 08-01-2002                     | Langberg et al.    |
|                      |                          | US 2002/0111533 A1  | 08-15-2002                     | Melvin             |
|                      |                          | US 2002/0124857 A1  | 09-12-2002                     | Schroeppel         |
|                      |                          | US 2002/0151961 A1  | 10-17-2002                     | Lashinski et al.   |
|                      |                          | US 2004/0102841 A1  | 05-27-2004                     | Langberg et al.    |
|                      |                          | US 2004/0133192 A1  | 07-08-2004                     | Houser et al.      |
|                      |                          | US 2004/0153146 A1  | 08-05-2004                     | Lashinski et al.   |
|                      |                          | 4,164,046   | 08-14-1979                     | Cooley             |
|                      |                          | 4,655,771   | 04-07-1987                     | Wallsten           |
|                      |                          | 4,954,126   | 09-04-1990                     | Wallsten           |
|                      |                          | 5,061,275   | 10-29-1991                     | Wallsten et al.    |
|                      |                          | 5,064,435   | 11-12-1991                     | Porter             |
|                      |                          | 5,104,404   | 04-14-1992                     | Wolff              |
|                      |                          | 5,170,802   | 12-15-1992                     | Mehra              |
|                      |                          | 5,383,892   | 01-24-1995                     | Cardon et al.      |
|                      |                          | 5,534,007   | 07-09-1996                     | St. Germain et al. |
|                      |                          | 5,571,135   | 11-05-1996                     | Fraser et al.      |
| AS                   |                          | 5,584,879   | 12-17-1996                     | Reimold et al.     |

|                       |                   |                    |            |
|-----------------------|-------------------|--------------------|------------|
| EXAMINER<br>SIGNATURE | /Ann Schillinger/ | DATE<br>CONSIDERED | 11/08/2006 |
|-----------------------|-------------------|--------------------|------------|

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup>See Kinds Codes of USPTO Patent Documents at [www.pto.gov](http://www.pto.gov) or MPEP 901.4. <sup>3</sup>Enter Office that issued the document, by the two-letter code (WIPO standard ST.3). <sup>4</sup>For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup>Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup>Applicant is to place a check mark here if English Language Translation is attached.

Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

|   |                               |                                       |
|---|-------------------------------|---------------------------------------|
| <b>FORM PTO/SB/08A/B (10-01)</b><br>Substitute for PTO-1449A/B<br><br><b>INFORMATION DISCLOSURE</b><br><br><b>STATEMENT BY APPLICANT</b><br><br>(use as many sheets as necessary) | <b>Attorney Docket Number</b> | <b>PVI-5813CIPCON1/53763/MEG/E303</b> |
|   | <b>Application Number</b>     | <b>10/806,906</b>                     |
|   | <b>Filing Date</b>            | <b>March 23, 2004</b>                 |
|   | <b>Applicant(s)</b>           | <b>Jonathan J. Langberg, et al.</b>   |
|   | <b>Group Art Unit</b>         | <b>3738</b>                           |
|   | <b>Examiner Name</b>          | <b>To be assigned</b>                 |

| U.S. PATENT DOCUMENTS |                       |   |                                |                   |
|-----------------------|-----------------------|---|--------------------------------|-------------------|
| EXAMINER INITIALS     | Cite No. <sup>1</sup> | DOCUMENT NUMBER<br>Number - Kind Code <sup>2</sup> (If Known) | PUBLICATION DATE<br>MM-DD-YYYY | NAME OF PATENTEE  |
| AS                    |                       | 5,593,442   | 01-14-1997                     | Klein             |
|                       |                       | 5,607,444   | 03-04-1997                     | Lam               |
|                       |                       | 5,674,280   | 10-07-1997                     | Davidson et al.   |
|                       |                       | 5,713,949   | 02-03-1998                     | Jayaraman         |
|                       |                       | 5,741,274   | 04-21-1998                     | Lenker et al.     |
|                       |                       | 5,817,126   | 10-06-1998                     | Imran             |
|                       |                       | 5,824,071   | 10-20-1998                     | Nelson et al.     |
|                       |                       | 5,876,419   | 03-02-1999                     | Carpenter, et al. |
|                       |                       | 5,911,732   | 06-15-1999                     | Hojeibane         |
|                       |                       | 5,980,552   | 11-09-1999                     | Pinchasik et al.  |
|                       |                       | 6,027,525   | 02-22-2000                     | Suh et al.        |
|                       |                       | 6,093,203   | 07-25-2000                     | Uflacker          |
|                       |                       | 6,203,556 B1  | 03-20-2001                     | Evans et al.      |
|                       |                       | 6,248,119 B1  | 06-19-2001                     | Solem             |
|                       |                       | 6,264,691 B1  | 07-24-2001                     | Gabbay            |
|                       |                       | 6,325,826 B1  | 12-04-2001                     | Vardi et al.      |
|                       |                       | 6,343,605 B1  | 02-05-2002                     | Lafontaine        |
|                       |                       | 6,350,277 B1  | 02-26-2002                     | Kocur             |
|                       |                       | 6,402,679 B1  | 06-11-2002                     | Mortier et al.    |
|                       |                       | 6,402,680 B2  | 06-11-2002                     | Mortier et al.    |
|                       |                       | 6,409,760 B1  | 06-25-2002                     | Melvin            |
|                       |                       | 6,537,314 B2  | 03-25-2003                     | Langberg et al.   |
| ↓                     |                       | 6,626,899 B2  | 9-30-2003                      | Houser et al.     |
| AS                    |                       | 6,656,221 B2  | 12-02-2003                     | Taylor et al.     |

|  |                          |                        |                   |
|--|--------------------------|------------------------|-------------------|
| <b>EXAMINER SIGNATURE</b>  | <b>/Ann Schillinger/</b> | <b>DATE CONSIDERED</b> | <b>11/08/2006</b> |
| <small>EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup>See Kinds Codes of USPTO Patent Documents at www.pto.gov or MPEP 901.4. <sup>3</sup>Enter Office that issued the document, by the two-letter code (WIPO standard ST.3). <sup>4</sup>For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup>Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup>Applicant is to place a check mark here if English Language Translation is attached.</small> |                          |                        |                   |

Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

|   |                               |                                       |
|---|-------------------------------|---------------------------------------|
| <b>FORM PTO/SB/08A/B (10-01)</b><br>Substitute for PTO-1449A/B<br><br><b>INFORMATION DISCLOSURE</b><br><br><b>STATEMENT BY APPLICANT</b><br><br>(use as many sheets as necessary) | <b>Attorney Docket Number</b> | <b>PVI-5813CIPCON1/53763/MEG/E303</b> |
|   | <b>Application Number</b>     | <b>10/806,906</b>                     |
|   | <b>Filing Date</b>            | <b>March 23, 2004</b>                 |
|   | <b>Applicant(s)</b>           | <b>Jonathan J. Langberg, et al.</b>   |
|   | <b>Group Art Unit</b>         | <b>3738</b>                           |
|   | <b>Examiner Name</b>          | <b>To be assigned</b>                 |

| U.S. PATENT DOCUMENTS |                       |   |                                |                  |
|-----------------------|-----------------------|---|--------------------------------|------------------|
| EXAMINER INITIALS     | Cite No. <sup>1</sup> | DOCUMENT NUMBER<br>Number - Kind Code <sup>2</sup> (If Known) | PUBLICATION DATE<br>MM-DD-YYYY | NAME OF PATENTEE |
| AS                    |                       | 6,669,687 B1  | 12-30-2003                     | Saadat           |
| AS                    |                       | 6,702,826 B2  | 03-09-2004                     | Liddicoat et al. |
| AS                    |                       | 6,706,065 B2  | 03-16-2004                     | Langberg et al.  |
| AS                    |                       | 6,709,456 B2  | 03-23-2004                     | Langberg et al.  |
| AS                    |                       | 6,790,231 B2  | 09-14-2004                     | Liddicoat et al. |
| AS                    |                       | 6,810,882 B2  | 11-02-2004                     | Langberg et al.  |
|                       |                       |   |                                |                  |

| FOREIGN PATENT DOCUMENTS |                       |   |                                |  |                       |
|--------------------------|-----------------------|---|--------------------------------|--|-----------------------|
| EXAMINER INITIALS        | Cite No. <sup>1</sup> | Foreign Patent Document<br>Country Code <sup>3</sup> - Number <sup>4</sup> - Kind Code <sup>5</sup><br>(If Known) | Publication Date<br>MM-DD-YYYY | Name of Patentee or<br>Applicant of Cited Document | T <sup>6</sup><br>(✓) |
| AS                       |                       | DE 196 11 755 A1  | 02-05-1998                     | Gleich Anmelder                                    |                       |
|                          |                       | WO 95/16407   | 06-22-1995                     | Reimold et al.                                     |                       |
|                          |                       | WO 96/40356   | 12-19-1996                     | Whayne et al.                                      |                       |
|                          |                       | WO 98/18411   | 05-07-1998                     | Mahmoodi   |                       |
|                          |                       | WO 99/53977   | 10-28-1999                     | Talpade  |                       |
|                          |                       | WO 00/41649   | 07-20-2000                     | Kocur  |                       |
|                          |                       | WO 00/44313 A1  | 08-03-2000                     | Lambrech et al.                                    |                       |
|                          |                       | WO 01/50985 A1  | 07-19-2001                     | Liddicoat et al.                                   |                       |
|                          |                       | WO 01/54618 A1  | 08-02-2001                     | Langberg et al.                                    |                       |
|                          |                       | WO 01/85061 A2  | 11-15-2001                     | Shapland et al.                                    |                       |
|                          |                       | WO 01/89426 A1  | 11-29-2001                     | Andrieu et al.                                     |                       |
|                          |                       | WO 02/00099 A2  | 01-03-2002                     | Liddicoat et al.                                   |                       |
| AS                       |                       | WO 02/01999 A2  | 01-10-2002                     | Liddicoat et al.                                   |                       |

|   |                          |                        |                   |
|---|--------------------------|------------------------|-------------------|
| <b>EXAMINER SIGNATURE</b>   | <b>/Ann Schillinger/</b> | <b>DATE CONSIDERED</b> | <b>11/08/2006</b> |
| EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at www.pto.gov or MPEP 901.4. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup> Applicant is to place a check mark here if English Language Translation is attached. |                          |                        |                   |

Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE



|   |                               |                                       |
|---|-------------------------------|---------------------------------------|
| <b>FORM PTO/SB/08A/B (10-01)</b><br>Substitute for PTO-1449A/B<br><br><b>INFORMATION DISCLOSURE</b><br><br><b>STATEMENT BY APPLICANT</b><br><br>(use as many sheets as necessary) | <b>Attorney Docket Number</b> | <b>PVI-5813CIPCON1/53763/MEG/E303</b> |
|   | <b>Application Number</b>     | 10/806,906                            |
|   | <b>Filing Date</b>            | March 23, 2004                        |
|   | <b>Applicant(s)</b>           | Jonathan J. Langberg, et al.          |
|   | <b>Group Art Unit</b>         | 3738                                  |
|   | <b>Examiner Name</b>          | To be assigned                        |

| FOREIGN PATENT DOCUMENTS |                       |   |                                |  |                       |
|--------------------------|-----------------------|---|--------------------------------|--|-----------------------|
| EXAMINER INITIALS        | Cite No. <sup>1</sup> | Foreign Patent Document<br>Country Code <sup>3</sup> - Number <sup>4</sup> - Kind Code <sup>5</sup><br>(If Known) | Publication Date<br>MM-DD-YYYY | Name of Patentee or<br>Applicant of Cited Document | T <sup>6</sup><br>(✓) |
| AS                       |                       | WO 02/05888 A1  | 01-24-2002                     | Streeter et al.                                    |                       |
|                          |                       | WO 02/34118 A2  | 05-02-2002                     | Streeter et al.                                    |                       |
|                          |                       | WO 02/053206 A2   | 07-11-2002                     | Alferness et al.                                   |                       |
|                          |                       | WO 02/060352 A1   | 08-08-2002                     | Lashinski et al.                                   |                       |
|                          |                       | WO 02/062270 A1   | 08-15-2002                     | Solem et al.                                       |                       |
|                          |                       | WO 02/062408 A2   | 08-15-2002                     | Taylor et al.                                      |                       |
|                          |                       | WO 02/062263 A2   | 08-15-2002                     | Cohn et al.  |                       |
|                          |                       | WO 02/076284 A2   | 10-03-2002                     | Cohn et al.  |                       |
| AS                       |                       | WO 02/078576 A2   | 10-10-2002                     | Liddicoat et al.                                   |                       |
|                          |                       | WO 02/096275 A2   | 12-05-2002                     | Cohn et al.  |                       |

| OTHER DOCUMENTS   |                       |  |                            |
|---|-----------------------|--|----------------------------|
| EXAMINER INITIALS   | Cite No. <sup>1</sup> | Include name of the author (in CAPITAL LETTERS), title of the article, title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.       |                            |
| AS  |                       | LAAKSOVIRTA et al., <i>Expansion and bioabsorption of the self-reinforced lactic and glycolic acid copolymer prosthetic spiral stent</i> , PubMed, Excerpt from J Urol 2001 Sep; 166(3):919-22, one sheet  |                            |
| AS  |                       | LIU et al., <i>Sutural expansion osteogenesis for management of the bony-tissue defect in cleft palate repair: experimental studies in dogs</i> , PubMed, Excerpt from Plast Reconstr Surg 2000 May; 105(6):2012-25; discussion 2026-7, two sheets |                            |
| AS  |                       | YONEYAMA et al., <i>Super-elastic property of Ti-Ni alloy for use in dentistry</i> , PubMed, Excerpt from Front Med Biol Eng 2000; 10(2):97-103, one sheet   |                            |
| AS  |                       | KOTIAN, <i>Shape memory effect and super elasticity it's dental applications</i> , PubMed, Excerpt from Indian J Dent Res 2001 Apr-Jun; 12(2):101-4, one sheet   |                            |
| AS  |                       | KUO et al., <i>The use of nickel-titanium alloy in orthopedic surgery in China</i> , PubMed, Excerpt from Orthopedics 1989 Jan; 12(1):111-6, one sheet   |                            |
| AS  |                       | CIVJAN et al., <i>Potential applications of certain nickel-titanium (nitinol) alloys</i> , PubMed, Excerpt from J Dent Res 1975 Jan-Feb; 54(1):89-96, one sheet  |                            |
| EXAMINER SIGNATURE  | /Ann Schillinger/     |  | DATE CONSIDERED 11/08/2006 |
| EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at www.pto.gov or MPEP 901.4. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup> Applicant is to place a check mark here if English Language Translation is attached. |                       |  |                            |

Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

|   |                               |                                       |
|---|-------------------------------|---------------------------------------|
| <b>FORM PTO/SB/08A/B (10-01)</b><br>Substitute for PTO-1449A/B<br><br><b>INFORMATION DISCLOSURE</b><br><br><b>STATEMENT BY APPLICANT</b><br><br>(use as many sheets as necessary) | <b>Attorney Docket Number</b> | <b>PVI-5813CIPCON1/53763/MEG/E303</b> |
|   | <b>Application Number</b>     | 10/806,906                            |
|   | <b>Filing Date</b>            | March 23, 2004                        |
|   | <b>Applicant(s)</b>           | Jonathan J. Langberg, et al.          |
|   | <b>Group Art Unit</b>         | 3738                                  |
|   | <b>Examiner Name</b>          | To be assigned                        |

| OTHER DOCUMENTS   |                       |  |
|-------------------|-----------------------|--|
| EXAMINER INITIALS | Cite No. <sup>1</sup> | Include name of the author (in CAPITAL LETTERS), title of the article, title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.   |
| AS                |                       | BRENNAN, <i>SUITE OF SHAPE-MEMORY POLYMERS</i> , <a href="http://pubs.acs.org/cen/topstory/7906/7906notw1.html">http://pubs.acs.org/cen/topstory/7906/7906notw1.html</a> , News of the Week Materials, February 5, 2001, Volume 79, Number 6, Ceneur 79 6 pp.5, ISSN 0009-2347, three sheets |
|                   |                       | STIKEMAN, <i>Total Recall</i> , AN MIT ENTERPRISE TECHNOLOGY REVIEW - Innovation, June 2001, two sheets  |
|                   |                       | European Patent Office Office action dated December 22, 2003 for Application No. 00 946 661.6 - 2310, 4 sheets   |
|                   |                       | Written Opinion dated November 8, 2002 for International application No. PCT/EP01/10371, 14 sheets   |
|                   |                       | International Search Report dated April 23, 2002 for International application No. PCT/EP 01/10371, 4 sheets   |
|                   |                       | International Search Report dated March 15, 2000 for National application No. SE 9902455-6, 3 sheets   |
|                   |                       | International Search Report dated October 9, 2002 for National application No. SE 0200073-5, 5 sheets  |
|                   |                       | International Search Report dated June 5, 2003 for International application No. PCT/EP 02/14655, 7 sheets   |
| AS                |                       | Buchanan et al., Sammarco CD, Circumferential Suture of the Mitral Annulus for Correction of Mitral Regurgitation in Dogs, PubMed, Excerpt from Vet Surg 1998 May-June; 27(3): 182-93, abstract, one sheet.  |

CKS PAS618331.1-04/15/05 10:07 AM

|  |                   |                        |            |
|--|-------------------|------------------------|------------|
| <b>EXAMINER SIGNATURE</b>  | /Ann Schillinger/ | <b>DATE CONSIDERED</b> | 11/08/2006 |
| EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at <a href="http://www.pto.gov">www.pto.gov</a> or MPEP 901.4. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup> Applicant is to place a check mark here if English Language Translation is attached. |                   |                        |            |

Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE